

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 07-20411

D-1 TONY JAMEL LEE,

HON. GEORGE CARAM STEEH

Defendant.

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ORDER DENYING DEFENDANT'S MOTION FOR THE  
COURT TO DETERMINE THE QUANTITY OF CONTROLLED  
SUBSTANCE BY A REASONABLE DOUBT STANDARD (#143)

The court has reviewed defendant's motion and the government's response and finds the case law relied upon by defendant overruled by the decision in United States v Leachman 309 F. 3<sup>rd</sup> 377 (6<sup>th</sup> Cir. 2001). Accordingly, the court DENIES defendant's motion.

Dated: September 22, 2009

S/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 22, 2009, by electronic and/or ordinary mail.

S/Josephine Chaffee  
Deputy Clerk